

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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September 3, 2020

By ECF/Email

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square Room 2201
New York, New York 10007

Re: **United States v. Carlos Garcia**
19 Cr. 812 (PAE)

Dear Judge Engelmayer,

I write in response to the Court's order of September 1, 2020. I have reviewed the letter that Mr. Garcia wrote to the Court, but am not prepared to file a written response. There were several matters raised within Mr. Garcia's letter to the Court that must be resolved before we can proceed with sentencing.

Given the current restrictions on visiting caused by the COVID-19 pandemic it is not possible to visit Mr. Garcia at the jail. Audio and video calls must typically be scheduled at least 72 hours in advance and are occasionally cancelled without notice. I was able to schedule an emergency call for today, but unfortunately the call from the jail did not occur. The next available date for a legal call is Tuesday, September 8. Accordingly, I request additional time to file any supplement to the defense submission.

Chambers also enquired whether Mr. Garcia would be willing to proceed with his sentencing via video or audio conference. I similarly need additional time to consult with Mr. Garcia regarding his wishes in this respect.

GRANTED. The Court adjourns sentencing to October 5, 2020 at 11:00 a.m. Any supplemental defense sentencing submission is due two weeks before sentencing; the Government's sentencing submission is due one week before sentencing. The Court expects that defense counsel will promptly make contact with Mr. Garcia so as to assure that these deadlines are met, and asks counsel promptly to alert the Court as to whether the defense requests an in-person or remote sentencing. The Clerk of Court is requested to terminate the motion at Dkt. No. 18.

SO ORDERED.

9/4/2020

Respectfully submitted,
/s/
Jennifer E. Willis
Assistant Federal Defender
(212) 417-8743 / (917) 572-5792

CC: Carlos Garcia
AUSA Alexander N. Li

Paul A. Engelmayer
PAUL A. ENGELMAYER